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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,160	08/21/2003	Frank Louwet	223614	7606
23460	7590	02/10/2005		
LEYDIG VOIT & MAYER, LTD TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON AVENUE CHICAGO, IL 60601-6780			EXAMINER SCHILLING, RICHARD L	
			ART UNIT 1752	PAPER NUMBER

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/645,160

Applicant(s)

LOUWET ET AL.

Examiner

Richard L Schilling

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-14 and 22-35 is/are allowed.
- 6) ☒ Claim(s) 1,5,6,15,19,20,36,40 and 41 is/are rejected.
- 7) ☒ Claim(s) 2-4,7,16-18,21,37-39 and 42 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8-21-03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5 and 6 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Mutsaers et al. Mutsaers et al. (see particularly column 2, lines 4-61; column 3, line 29 - column 4, line 8) discloses a substantially transparent conductive layer configuration comprising a first layer of conductive polymer, i.e. thiophene polymer, and a second layer of non-continuous

conductive silver. The silver conductive pattern is photographically formed by imagewise exposing the polythiophene layer and then plating silver thereon as a function of imagewise exposure, i.e. the silver is plated by a photographic process. If Mutsaers et al. do not anticipate the instant claims, then it would at least be obvious to one skilled in the art to use the disclosed silver as the plating metal on the unexposed areas of the polythiophene layer in Mutsaers et al.

2. Claims 15, 19, 20, 36, 40 and 41 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over International Publication 98/54767.

The international publication (see particularly the Abstract) discloses electroluminescent devices with combination electrodes of a first layer of conductive polymer and a second layer of conductive inorganic metal. Applicants' specification discusses this reference on page 2, line 40 - page 3, line 27, wherein applicants disclose that the polymer in the international publication is polythiophene and the metal can be silver with working Example 2 having silver conductive patterns. Even though the silver containing pattern may be disclosed as not being applied by a photographic process, the pattern still may be inherently applied by a photographic process, e.g. a printing plate, mask or stencil made photographically such as by using a

photoresist.

3. Claims 2-4, 6, 7, 16-18,21, 37-39 and 42 are objected to as depending on rejected claims but would be allowable if written in proper independent form.

4. Jonas et al. is cited of interest in the art as disclosing electroluminescent devices with conductive polymer layers. Merry, Stephenson and Blake are cited of interest in the art as disclosing photographic methods for making silver conductive patterns using silver halide photographic processes. Stephenson discloses processes comprising rehalogenating silver images. Majumdar et al. and Viaene et al. are cited of interest in the art as disclosing photographic silver halide elements comprising conductive antistatic layers of polythiophene polymers. The silver halide emulsions are not used to make conductive patterns. Andriessen is cited of interest in the art as disclosing conductive layers comprising polythiophene and silver. Cloots et al. is cited of interest in the art as disclosing various devices containing polythiophene conductive layers with conductive patterns. The prior art submitted by applicants has been considered.

5. Any inquiry concerning this communication should be directed to Mr. Schilling at telephone number (571) 272-1335.

Serial No. 10/645,160

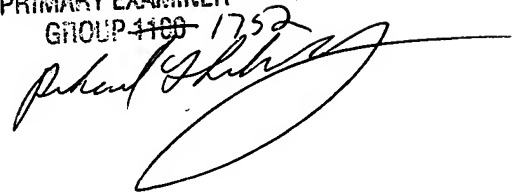
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Art Unit 1752

RLSchilling:cdc

February 9, 2005

RICHARD L. SCHILLING
PRIMARY EXAMINER
GROUP 4100-1752

A handwritten signature in black ink, appearing to read "Richard L. Schilling", is written over the printed text. The signature is stylized with a large, sweeping loop at the end.